

REVISED AGENDA

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

Any person who wishes to be heard shall provide the Clerk with his or her name and residence and the agenda item on which he or she wishes to be heard. Such information shall be on a card provided by the County. Once public input begins, there will be no further speaker cards allowed to be submitted to the Clerk for that subject. An individual has three minutes and a person representing an organization has five minutes to address the Board (except that individuals wishing to speak during public hearings pertaining to land use issues will have five minutes). The first person representing the organization will be allowed the five minutes. Subsequently, all other speakers on behalf of that organization have three minutes to address the Board. Once an individual has addressed the Board, he or she will not be permitted to return to the podium for follow-up comments, unless the issue involved is quasi judicial in nature. In that case, the applicant may return to the podium to conclude his or her position at the end of the public hearing.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

Pleas note that all time approximate items are listed in bold.

Wednesday, July 18, 2012
The Harvey Government Center
at Historic Truman School
1200 Truman Avenue
Key West, Florida

9:00 A.M. - Regular Meeting

9:15 A.M. - Land Authority Governing Board

3:00 P.M. - Public Hearings

5:00 P.M. - Public Hearings

TIME APPROXIMATE

REGULAR MEETING

9:00 A.M. CALL TO ORDER
INVOCATION
SALUTE TO FLAG

- A. ADDITIONS,CORRECTIONS, DELETIONS
- B. BULK APPROVALS - COMMISSIONER MURPHY

1. Approval Of A Resolution Authorizing An Agent Of An Animal Control Contractor To Enforce Chapter 4, Monroe County Code, And Chapter 828, Florida Statutes, And To Issue Citations For Violations Of The Monroe County Code Including Requiring Appearance For Disposition In County Court.

- Documents: [B1.PDF](#)
2. Ratification Of BOCC Approval On May 16, 2012 Awarding Bid And Contract To Keys Contracting Services, Inc. For On-Site Sewer Connections At Harry Harris Park, Tavernier Fire Station And Old Tavernier School In The Amount Of \$44,300.
Documents: [B2.PDF](#)
 3. Approval To Renew Lease Agreement With The Early Learning Coalition Of Miami-Dade/Monroe For One (1) Year At The Gato Building, 1100 Simonton Street, Key West, Florida.
Documents: [B3.PDF](#)
 4. Approval Of A Lease Agreement With Southernmost Homeless Assistance League (SHAL) For Office Space At The Gato Building, 1100 Simonton Street, Key West, Florida.
Documents: [B4.PDF](#)
 5. Approval To Enter Into A Long Term Agreement With Big Pine Athletic Association For Management Of The Big Pine Skate Park.
Documents: [B5.PDF](#)
 6. Approval Of Resolution To Adopt Tentative Residential Solid Waste Collection, Disposal And Recycling Rates For Fiscal Year 2012/13.
Documents: [B6.PDF](#)
 7. Approval Of A Resolution To Adopt Tentative Solid Waste Collection, Disposal And Recycling Rates For Commercial Waste Generators For Fiscal Year 2012/13.
Documents: [B7.PDF](#)
 8. Approval To Award Bid And Enter Into A Contract With PermaFix Environmental Services For Cleaning Of HazMat Sheds Located At The Long Key Transfer Station And At The Cudjoe Transfer Station. This Is A Very Specialized Program And There Were Only Two Bidders, PermaFix And Clean Harbors.
Documents: [B8.PDF](#)
 9. Approval To Award Bid And Execute Contract For Bio-Diesel Fuel To The Lowest Bidder Blaylock Oil Company.
Documents: [B9.PDF](#)
 10. Approval Of A Contract Between Monroe County And The Community Transportation Coordinator/Guidance Care Center, Inc. For A Contract Period Of 07/01/2012 Through 06/30/2013.
Documents: [B10.PDF](#)
 11. Approval Of An Amendment Between The Monroe County Community Transportation Coordinator/Guidance Care Center, Inc. And The Monroe County Board Of County Commissioners For Contract Period 07/01/2012 Through 06/30/2013.
Documents: [B11.PDF](#)
 12. Approval Of The Home And Community Based Case Management Referral Agreement Between The Florida Department Of Children & Families And The Monroe County Board Of County Commissioners (Social Services/In-Home Services Program) For State Fiscal Year (SFY) July 1, 2012 To June 30, 2013.
Documents: [B12.PDF](#)
 13. Approval To Apply For The Older Americans Act Grant Up To The Maximum Amount Available (\$612,493.00) And Approval For The County Administrator Or His Alternate To Sign All Application Documents Relating To Grant Submission.
Documents: [B13.PDF](#)
 14. Approval For Revised Supply List Made Part Of The Food Service Contract Between GA Food Service, Inc. And The Board Of County Commissioners. The Company Has Increased The Price For Regular Coffee From \$132.00 To \$134.60 And The Price For Decaf Coffee From \$129.00 To \$131.70, Effective 06/01/2012 Until 08/31/2012.
Documents: [B14.PDF](#)
 15. Approval Of Modification #001 To The Low Income Home Energy Assistance Program

Federally Funded Subgrant Agreement Number 12EA-0F-11-54-01-019 Between Monroe County Board Of County Commissioners And The State Of Florida, Department Of Economic Opportunity For The Provision Of Funds To Pay Electric Bills For Low Income Monroe County Residents.

Documents: [B15.PDF](#)

16. Approval Of Various Resolutions For The Transfer Of Funds And Resolutions For The Receipt Of Unanticipated Revenue.

Documents: [B16.PDF](#)

17. Approval To Advertise A Public Hearing For A Budget Amendment For General Fund 001, One Cent Infrastructure Sales Tax Fund 304, And Cudjoe Regional WW Fund 312.

Documents: [B17.PDF](#)

18. Approval Of Amendment To Agreement With Florida Keys Healthy Start Coalition Extending The Term Of The Contract Through December 31, 2012.

Documents: [B18.PDF](#)

19. Approval Of And Authorization To Submit Grant Adjustments To Update The Performance Measures And Objectives For Current FDLE JAG Grants With Be The Change, Samuel's House, Heron-Peacock, Guidance Care Center, Boys And Girls Club.

Documents: [B19.PDF](#)

20. Approval Of A Lease With The Islands Flying Club, Inc. For An Undeveloped Parcel On The Florida Keys Marathon Airport Property For The Construction Of An Enclosed Hangar, With The Construction Date As Yet To Be Determined.

[DELETED](#)

Documents: [B20.PDF](#)

21. Approval Of Amendment #2 To The Agreement With Mailloux And Sons For The Lower Keys ADA Compliance Segment #2 Project, To Permit Use Of The Stock Island Fire Station Site For The Contractor's Office Until Construction Of The Fire Station Starts.

Documents: [B21.PDF](#)

22. Approval Of A Second Amendment To Contract With Bender & Associates Architects, P.A. For Stage 3 Of The East Martello Tower Masonry Restoration. This Project Is Fully Funded By The Tourist Development Council.

Documents: [B22.PDF](#)

23. Approval Of A Second Amendment To Contract With Bender & Associates Architects, P.A. For Stage 3 Of The West Martello Tower Masonry Restoration. This Project Is Fully Funded By The Tourist Development Council.

Documents: [B23.PDF](#)

24. Approval Of A Second Amendment To The Agreement With Contracting Specialists, Inc. SE (CSI) For Continuing The Brick & Mortar Restoration At The East Martello Tower. This Project Is Fully Funded By The Tourist Development Council.

Documents: [B24.PDF](#)

25. Approval Of A Second Amendment To The Agreement With Contracting Specialists, Inc. SE (CSI) For Continuing The Brick & Mortar Restoration At The West Martello Tower. This Project Is Fully Funded By The Tourist Development Council.

Documents: [B25.PDF](#)

26. Approval Of A First Amendment To Contract With MBI/K2M Architecture, Inc. For The Design Concept And Cost Estimating For A General Aviation Facility Customs Terminal In The Existing Marathon Airport.

Documents: [B26.PDF](#)

27. Approval Of Modification #6 To The State Funded Subgrant Agreement For The Design And Construction Of The Proposed Emergency Operations Center In Marathon To Extend The Period Of Performance For Federal Funding From August 18, 2012 To June 30, 2013.

Documents: [B27.PDF](#)
28. Receipt Of Monthly Report On Change Orders Reviewed By The County Administrator's Office.

Documents: [B28.PDF](#)
29. Approval Of Final Higgs Beach Development Agreement As Approved By The City Of Key West.

Documents: [B29.PDF](#)
30. Approval Of Coverage Determination And Appeals Process Addendum To The Pharmacy Benefit Management Services Agreement With EnvisionRXOptions To Administer And Invoice For Both An Internal And External Appeals Process For Covered Individuals Who Wish To Appeal The Determination Of Non-Coverage Of A Medication.

Documents: [B30.PDF](#)
31. Approval To Award One Vacation Day To All Employees As An Incentive For Those Who Participate In The Required Health Screenings And Completion Of The Personal Health Assessments During 2012.

Documents: [B31.PDF](#)
C. TOURIST DEVELOPMENT COUNCIL

1. Approval Of An Agreement With Monroe Council Of The Arts Corporation, D/B/A Florida Keys Council Of The Arts To Provide Funding To Supplement Costs Of Tourist Related Programs.

Documents: [C1.PDF](#)
2. Approval To Amend Agreement With Keys Association Of Dive Operators, Inc. To Exercise Option To Extend The Agreement For Two (2) Additional Years To September 30, 2014.

Documents: [C2.PDF](#)
3. Approval Of An Amendment To Agreement With Key West Business Guild, Inc. To Exercise Option Within Agreement To Extend For Two (2) Additional Years Under The Same Terms And Conditions.

Documents: [C3.PDF](#)
4. Approval Of An Amendment To Agreement With Pigeon Key Foundation, Inc. To Extend The Termination Date For The Pigeon Key Solar Energy Project (Phase 1) To December 31, 2012.

Documents: [C4.PDF](#)
D. STAFF REPORTS

1. AIRPORTS
2. BUDGET & FINANCE
3. EMERGENCY SERVICES
4. EMPLOYEE SERVICES
5. PROJECT MANAGEMENT
6. GROWTH MANAGEMENT
7. PUBLIC WORKS
8. TECHNICAL SERVICES

E. LAND AUTHORITY GOVERNING BOARD - 9:15 A.M.

1. Approval Of The Minutes For The June 20, 2012 Meeting.

Documents: [E1.PDF](#)
2. Approval Of A Resolution Authorizing The Purchase Of 21 Parcels In Crains Subdivision For Conservation And Authorizing The Subsequent Conveyance Of The Property To The City Of Marathon Subject To A Conservation Easement.

Documents: [E2.PDF](#)
3. Approval Of Contracts To Purchase Property For Conservation.
a. Big Pine Key Acreage (RE #00109710-000600)

Documents: [E3A.PDF](#)
b. Tract GV, Pine Key Acres, Big Pine Key.

Documents: [E3B.PDF](#)

- c. Tract HB, Pine Key Acres, Big Pine Key.

Documents: [E3C.PDF](#)

- d. Tract TS, Pine Key Acres, Big Pine Key.

Documents: [E3D.PDF](#)

- e. Block 2, Lots 7 And 8, Kyle-Dyer Subdivision No. 1, Big Pine Key.

Documents: [E3E.PDF](#)

- f. Block 55, Lot 11, Port Pine Heights Second Addition, Big Pine Key.

Documents: [E3F.PDF](#)

- g. Block 17, Lot 4, Eden Pines Colony, Big Pine Key.

Documents: [E3G.PDF](#)

4. Commissioner Murphy - Approval To Appoint Susan Matthews To The Land Authority Advisory Committee.

Documents: [E4.PDF](#)

F. DIVISION OF GROWTH MANAGEMENT - BULK APPROVALS

1. Approval Of Amendment No.1 To Current Clean Vessel Act Agreement No.MV022 Between The Florida Department Of Environmental Protection (DEP) And Monroe County (County), Which Provides Reimbursement Funding For The County's Mobile Vessel Pumpout Program, Extending The Agreement To September 9, 2013 And Revising The Scope Of The Agreement.

Documents: [F1.PDF](#)

2. Approval Of An Inter-Local Agreement (ILA) Between Monroe County And The City Of Marathon (City) Reimbursing The City In An Amount Up To \$30,992 From Boating Improvement Funds (BIF) For Costs To Be Incurred By The City During FY'13 For Regulatory Buoy Maintenance (\$15,000) And Pumpout Boat Refurbishment (\$15,992).

Documents: [F2.PDF](#)

3. Approval Of An Inter-Local Agreement (ILA) Between Monroe County And The City Of Key West (City) Reimbursing The City In An Amount Up To \$34,700 From Boating Improvement Funds (BIF) For Costs To Be Incurred By The City During FY'13 For Mooring Field Materials And Repairs, And Associated Marker And Signage Replacements.

Documents: [F3.PDF](#)

4. Approval Of An Inter-Local Agreement (ILA) Between Monroe County And The Village Of Islamorada (City) Reimbursing The City In An Amount Up To \$30,000 From Boating Improvement Funds (BIF) For Costs To Be Incurred By The City During FY'13 For Regulatory Buoy Maintenance.

Documents: [F4.PDF](#)

5. Approval Of A Request By The Pigeon Key Preservation Foundation, Inc. For Demolition Of Two Picnic Shelters With Approval Of The BOCC In Accordance With Paragraph 7 Of The Lease With Monroe County, Dated October 19, 1993, Which Shelter Demolition Were Granted A Certificate Of Appropriateness By The Historic Preservation Commission (HCP) On June 25, 2012

Documents: [F5.PDF](#)

G. DIVISION OF GROWTH MANAGEMENT

1. Discussion Of Attached Owner/Builder Memo And Florida Statute §489.103(7) Specifying What An Owner/Builder Can Do.

[Time Approximate of 2:00 P.M.](#)

Documents: [G1.PDF](#)

H. CLOSED SESSIONS

1. An Attorney Client Closed Session Of The Board Of County Commissioner Regarding The Matter Of Monroe County Board Of County Commissioners Vs. Gonzalez Architects, Et Al., Case No. 08-CA-458-K.

[Time approximate of 1:30 PM](#)

Documents: [H1.PDF](#)

I. MONROE COUNTY TAX COLLECTOR

1. Approval Of The Recap Of The 2011 Tax Roll And The List Of Errors And Insolvencies For The 2011 Tax Roll, And Approval To Extend The 2012 Tax Roll And The Bills Be Mailed Prior To Completion Of Value Adjustment Board Hearings.

Documents: [I1.PDF](#)

J. WASTEWATER - 4: 30 P.M.

1. Approval Of Third Amendment To Contract For Consulting Services With Government Services Group, Inc. For Processing Of Appeals Generated From First Class Notices Sent Following The Adoption Of The Centralized Cudjoe Regional Inner And Outer Islands Initial Assessment Resolutions.

~~DELETED~~

K. COMMISSIONERS' ITEMS

1. MAYOR RICE - Approval Of Mayoral Appointment Of Donald Lanman To The South Florida Workforce Investment Board Of Miami-Dade/Monroe Counties For A Two-Year Term Through July 18, 2014.

Documents: [K1.PDF](#)

L. COUNTY CLERK

1. Report
2. Official Approval Of The Board Of County Commissioners Minutes From The May 22, 2012 Special Meeting (Previously Distributed).
3. Approval Of Warrants.

Documents: [L3.PDF](#)

4. Approval Of Tourist Development Council Expenditures For The Month Of June, 2012.

Documents: [L4.PDF](#)

5. Approval To Remove Surplus Equipment From Inventory Via Disposal Or Advertise For Bid.

Documents: [L5.PDF](#)

6. Approval To Execute Contract With The Firm Cherry, Bekaert & Holland To Provide Auditing Services To Monroe County And The Constitutional Officers.

Documents: [L6.PDF](#)

M. COUNTY ADMINISTRATOR

1. Report

Documents: [M1.PDF](#)

2. Approval Of Professional Services Agreement Between Robert Reyes Of Floridian Partners, LLC And Monroe County For Continuing Strategic Governmental Consulting Services For Another One-Year Term Effective July 19, 2012 Through July 18, 2013.

Documents: [M2.PDF](#)

3. Approval Of Second Amendment To Agreement For Medical Examiner Services.

Documents: [M3.PDF](#)

4. Discussion And Approval Of An Appointment To The Monroe County Value Adjustment Board Replacing Commissioner Murphy Who Resigned.

Documents: [M4.PDF](#)

5. Presentation And Update By The City Of Key West On The Lower Keys Shuttle Bus Service.
[Time approximate of 11:00 A.M.](#)

Documents: [M5.PDF](#)

6. Ratification And Repeal Of Amendment No. 3 To 17522 (Formerly ARS010) With Florida Department Of Agriculture And Consumer Services (FDACS), Previously Submitted And Approved At The June 20, 2012 BOCC, To Approve Minor Changes Made By FDACS To The Version Of A3 Submitted To The BOCC For Approval. The State Made Revisions To The Amendment Less Than 1 Hour Prior To The BOCC Meeting Start Time And Date, Which Were Not Able To Be Presented To The BOCC For Approval. The Amendment Was Not Pulled Because It Had To Be Executed Prior To The Grant Termination Date Of June 30th. It Also

Included Great Financial Benefits For The County, Which Would Not Be Recognized If The Amendment Was Not Approved And Executed.

Documents: [M6.PDF](#)

7. Presentation & Overview For The Proposed Fiscal Year 2013 Budget.

Time approximate of 9:10 A.M.

N. COUNTY ATTORNEY

1. Report
2. Approval Of A Settlement Agreement In The Matter Of Allen Chung & Elizabeth Redsecker V. Monroe County, 2011-CA-344-K.

Documents: [N2.PDF](#)

3. Approval To Create A New Position Of Paralegal (Pay Grade 09) At The Marathon Growth Management Offices And Under The Growth Management Budget.

Documents: [N3.PDF](#)

4. Approval Of An Agreement With The Florida Department Of Environmental Protection Allowing Monroe County To Perform Habitat Restoration With Dagny Johnson Key Largo Hammock Botanical State Park As Mitigation For Construction Of The Key Largo Wastewater Treatment District Wastewater Treatment Plant.

Documents: [N4.PDF](#)

5. Approval To Advertise A Request For Proposals (RFP) For Habitat Restoration With Dagny Johnson Key Largo Hammock Botanical State Park Mitigation For Construction Of The Key Largo Wastewater Treatment District Wastewater Treatment Plant.

Documents: [N5.PDF](#)

6. Discussion And Direction To Staff Regarding The Marathon Airport Management Services RFP Finalist/Awardee Selection Procedures.

Documents: [N6.PDF](#)

7. Approval To Initiate Collection Proceedings, (Complaint For Foreclosure And Money Judgment) And File An Action In Circuit Court Seeking An Injunction Relief Order To Compel The Property Owner To Correct The Code Violations Of Code Enforcement Case(S) CE08070120 And CE11020015.

Documents: [N7.PDF](#)

8. Approval Of Resolution Establishing Procedure For The Appointment Of A Temporary Member To The Canvassing Board In The Event That The Presently Serving Member Has An Unavoidable Or Unexpected Event Which Causes The Member To Be Temporarily Unable To Serve But Which Does Not Render The Member Disqualified Or Permanently Unable To Serve.

Documents: [N8.PDF](#)

9. Approval Of A Letter Of Understanding With Krupnick Campbell Malone Et.al. For Legal Representation On A Contingent Fee Basis In Potential Claims Arising From The Deepwater Horizon Oil Spill.

Documents: [N9.PDF](#)

10. Approval Of A Resolution Granting Office Space To The Guardian Ad Litem At The Marathon Airport Terminal..

Documents: [N10.PDF](#)

O. PUBLIC HEARINGS - 9:30 A.M.

1. Public Hearing Conducted Pursuant To § 477.403, Florida Statutes, To Resolve Impasse With IAFF Local 3909 (Fire Fighters Union).

Documents: [O1.PDF](#)

P. PUBLIC HEARING - 3:00 P.M.

1. A Public Hearing To Consider An Ordinance Establishing Monroe County Code Section 19-8, Restriction On Use Of County Roads, Providing A Procedure To Limit Access To Public Roads.

Documents: [P1.PDF](#)

2. A Public Hearing To Consider Approval Of A Resolution Renouncing And Disclaiming Any

Right Of The County And The Public In And To That Portion Of MacDonald Avenue, Lying South Of Lots 11, 12, 13, 14, & 15, Block 31 And North Of Lots 8, 9, & 10, Block 35, And Northerly Of Maloney Avenue (As Existing And Constructed), "Maloney's Subdivision Of Stock Island", A Subdivision Of Government Lots 1, 2, 3, 5, & 6, Section 35, Government Lot 2, Section 36, Government Lot 3, Section 26, And Government Lot 2, Section 34, All In Township 67 South, Range 25 East On Stock Island According To The Plat Thereof, As Recorded In Plat Book 1 At Page 55 Of The Public Records Of Monroe County, Florida.

Documents: [P2.PDF](#)

3. A Public Hearing To Consider Approval Of An Ordinance Amending Section 21-46 To Amend Definitions Relating To Specialty Haulers, Amending 21-72 To Revise Requirements And Regulations Relating To Specialty Haulers And Creating Sec. 21-77 To Provide Penalties For Violations Of The Ordinance.

Documents: [P3.PDF](#)

Q. PUBLIC HEARINGS - 5:00 P.M.

1. A Public Hearing To Adopt The Final Assessment Resolution (FAR) Describing The Method Of Assessment For Properties In The Centralized Cudjoe Regional Inner Islands Wastewater Service Area.

Documents: [Q1.PDF](#)

2. A Public Hearing To Adopt The Final Assessment Resolution (FAR) Describing The Method Of Assessment For Properties In The Centralized Cudjoe Regional Outer Islands Wastewater Service Area.

Documents: [Q2.PDF](#)

3. A Public Hearing To Adopt An Amendment To Ordinance 18-26 Amending Section 18-26 Of The Monroe County Code To Establish A Children's Park Area On Higg's Beach And To Provide For Regulation Of The Children's Park Area.

Documents: [Q3.PDF](#)